



State of New Jersey

Department of Environmental Protection

James E. McGreevey
Governor

Bradley M. Campbell
Commissioner

7002 2410 0002 5962 1517

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Christopher Anderson
Director Environmental Affairs
L.E. Carpenter and Company
33587 Walker Road
Avon Lake, OH 44012

DEC 23 2003

RE: L.E. Carpenter Superfund Site
Wharton, Morris County, New Jersey

The New Jersey Department of Environmental Protection (NJDEP or Department) has completed a review of the document titled "Request to Withdraw the Lead Soil Focused Feasibility Study (FFS) and Associated Regulatory Comments from the Project File and Public Record" dated December 9, 2003. This document was prepared by RMT, Inc. on behalf of L.E. Carpenter and Company (LE). NJDEP finds the document to be acceptable however the following comments must be addressed.

Comments:


It is NJDEP's understanding that the proposed LNAPL remediation will still be included as part of the lead excavation remedy. LE should clarify this issue.

NJDEP does not concur with the attached site schedule for lead and source area remediation. LE shall submit the Remedial Action Work Plan (RAWP) within sixty (60) days after receipt of this letter.

LE should be aware that the NJDEP would like to see the initiation of field activities begin no later than the summer of 2004.

Should you have any further questions please feel free to contact me at (609) 633-1416.

Sincerely,


Anthony Cinque, Case Manager
Bureau of Case Management

C: Mayor Chegwidan, Wharton Boro
Jon Rheinhardt, Administrator/CFO, Wharton Boro
Nick Clevett, RMT, Inc.
Stephen Cipot, EPA
George Blyskun, BGWPA
John Prendergast, BEERA

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December 9, 2003

Mr. Anthony Cinque
Case Manager
New Jersey Department of Environmental Protection (NJDEP)
Bureau of Federal Case Management
Division of Responsible Site Party Remediation
CN028
Trenton, NJ 08625

Subject: L.E. Carpenter & Company (LEC) ~ NJD002168748
Request to Withdraw the Lead Soil Focused Feasibility Study (FFS) & Associated Regulatory
Comments from the Project File and Public Record

Dear Anthony:

As I outlined in my email dated December 3, 2003, the decision has been made to excavate and dispose off-site the lead impacted Category A soils referenced in Table 1 of the report entitled *Focused Feasibility Study Lead-Impacted Soil Remediation* (RMT, February 2003) rather than reuse this material as subgrade fill during proposed source area remedial actions.

In concurrence with the email from United States Environmental Protection Agency (USEPA) dated December 4, 2003, LEC proposes to excavate and manage off-site those soils exhibiting a total lead concentration greater than 400 ppm (the NJ residential cleanup objective for lead in soils) rather than the 600 ppm cleanup level required in the 1994 Record of Decision (ROD).

Subsequently, RMT on behalf of LEC, requests the withdrawal of the report entitled *Focused Feasibility Study Lead-Impacted Soil Remediation* (RMT, February 2003) and associated NJDEP and USEPA comments regarding the above-mentioned report dated July 3, 2003 from the project file and public record.

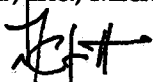
As a result of Lead Soil FFS preparation and review periods, and reevaluation of the remedial approach regarding these materials, the proposed project schedule forwarded to your attention on February 3, 2003 has been modified. A copy of the revised *Site Schedule for Lead and Source Area Remediation* has been attached.

Mr. Anthony Cinque
New Jersey Department of Environmental Protection
December 9, 2003
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Thank-you for your attention to this matter. Please provide your agreement with this request in writing. Once your approval has been received, preparation of the Remedial Action Work Plan (RAWP) utilizing off-site disposal of Category A soils in the remedial approach will commence. Please contact me at your convenience with any questions or comments.

Sincerely,

RMT, Inc., Michigan



Nicholas J. Clevett
Project Manager

Attachment. Revised Remedial Schedule

cc: Stephen Cipot, USEPA Region II
Cris Anderson, LEC
Dan Oman, RMT
Jim Dexter, RMT
Drew Diefendorf, RMT
Walter Kurzeja, RMT
Central Files

L. E. Carpenter & Company ~ NJD002168748

SITE SCHEDULE FOR LEAD AND SOURCE AREA REMEDIATION

